

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

ELMER WILLIAMS and)	
CHARLES W. WILLIAMS,)	
)	
COMPLAINANTS)	
)	
VS.)	NO. <u>81-9-635</u>
)	
A.D. WILLIAMS, ET AL.,)	
)	
DEFENDANTS.)	

CONSENT FINAL DECREE CONFIRMING PARTITION
OF LAND AND OTHER MATTERS

This cause came on to be heard on the Report of the Commissioners filed in the above styled and numbered cause partitioning the land hereafter described and other matters and the Court after hearing the report finds as follows:

That heretofore, in this cause, by Interlocutory Decree dated December 17, 1981, C.S. Wilson, Paul L. Riley and Barry Bridgforth were appointed Commissioners of this Court for the purpose of dividing 47.31 acres among the owners and the Commissioners have now filed their report with this Court and the owners waive the ten (10) day period of time for the report to be on file and consent by their attorneys to this Decree approving the report and partition of the land.

The Court finds that by agreement of the parties the Commissioners first divided the land into two parcels having equal value and by agreement the west 29.31 acres of the land was partited in solido to the following named parties with the undivided interest as follows: Elon Williams 1/3 A.D. Williams 1/3 Shirley Albritton 1/6, and Rebecca Jackson 1/6.

The Commissioners then reported that by consent of the parties the east 18 acres of the land was divided into parcels having equal value and the owners thereof by agreement among themselves allocated the parcels as follows: Tract II was allocated to Elmer N. Williams; Tract III was allocated to William E. Freeman, Jr. , and David L. Freeman, jointly; Tract IV was allocated to Charles L. Williams.

dated 15 day of July, 1982

[Signature]
J. Kirk
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The Court finds that the division was fair and equal and the parties have consented to the division.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of the Commissioners be and the same is hereby ratified and confirmed by the Court and Tract I on the survey prepared by Danny S. Rutherford, dated May 26, 1982 is partited and allocated to A.D. Williams 1/3; Elon Williams 1/3; Rebecca Williams Jackson 1/6; Shirley Ann Williams Albritton 1/6, said land being ^{SECTION 4, TOWNSHIP 3, RANGE 9} in DeSoto County, Mississippi, described as follows, to-wit:

TRACT NO. 1

Commencing at a point commonly accepted as the southeast corner of said quarter section; thence run North 89 degrees 17 minutes 37 seconds West a distance of 885.25 feet along the south line of said quarter section to the Point of Beginning; thence continue North 89 degrees 17 minutes 37 seconds West along said south quarter-section line a distance of 1440.59 feet to the southeast corner of the Fisher property; thence run North 00 degrees 27 minutes 56 seconds East a distance of 886.38 feet along the east line of said Fisher property to the southwest corner of Charles H. Oswalt property; thence run South 89 degrees 16 minutes 38 seconds East a distance of 1440.59 feet along the south line of said Charles H. Oswalt property on the west and the south line of the H.A. Oswalt property on the east to a point; thence run South 00 degrees 27 minutes 56 seconds West a distance of 885.97 feet to the Point of Beginning and containing 29.31 acres. Basis for bearings is true north as determined by solar observation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Tract II of said Rutherford survey is partited and allocated to Elmer N. Williams, said land being in DeSoto County, Mississippi, described as follows, to-wit:

TRACT NO. II.

Commencing at a point commonly accepted as the southeast corner of said quarter section; thence run North 89 degrees 17 minutes 37 seconds West a distance of 442.62 feet along the south line of said quarter section to the Point of Beginning; thence continue North 89 degrees 17 minutes 37 seconds West along said south quarter-section line a distance of 442.63 feet to a point; thence run North 00 degrees 27 minutes 56 seconds East a distance of 590.50 feet to a 0.5 inch steel reinforcing bar; thence run South 89 degrees 17 minutes 37 seconds east a distance of 442.63 feet to a 0.5 inch steel reinforcing bar; thence run South 00 degrees 27 minutes 56 seconds West a distance of 590.50 feet to the Point of Beginning and containing 6.00 acres. Basis for bearings is true north as determined by solar observation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Tract III of said Rutherford survey is partited and allocated to William E.

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Freeman, Jr., and David L. Freeman, said land being in DeSoto County, Mississippi, described as follows, to-wit:

TRACT NO. III.

Commencing at a point commonly accepted as the southeast corner of said quarter section; thence run North 00 degrees 27 minutes 56 seconds East a distance of 393.70 feet along the east line of said Section 4 to the Point of Beginning; thence run North 89 degrees 17 minutes 37 seconds West a distance of 442.62 feet to a 0.5 inch steel reinforcing bar; thence run North 00 degrees 27 minutes 56 seconds East a distance of 196.80 feet to a 0.5 inch steel reinforcing bar; thence run North 89 degrees 17 minutes 37 seconds West a distance of 442.63 feet to a 0.5 inch steel reinforcing bar; thence run North 00 degrees 27 minutes 56 seconds East a distance of 295.47 feet to a point on the south line of the H.A. Oswalt property; thence run South 89 degrees 16 minutes 38 seconds East a distance of 885.25 feet along said south Oswalt line to the southeast corner of said Oswalt property, said point being on the east line of said Section 4; thence run South 00 degrees 27 minutes 56 seconds West a distance of 885.72 feet along said east section line to the Point of Beginning and containing 8.00 acres. Basis for bearings is true north as determined by solar observation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Tract IV of said Rutherford survey be and the same is partited and allocated to Charles L. Williams, being the land in DeSoto County, Mississippi, described as follows, to-wit:

TRACT NO. IV.

Beginning at a point commonly accepted as the southeast corner of said quarter section; thence run North 89 degrees 17 minutes 37 seconds West a distance of 442.62 feet along the south line of said quarter section to a point; thence run North 00 degrees 27 minutes 56 seconds East a distance of 393.70 feet to a 0.5 inch steel reinforcing bar; thence run South 89 degrees 17 minutes 37 seconds East a distance of 442.62 feet to a point on the east line of said Section 4; thence run South 00 degrees 27 minutes 56 seconds West a distance of 393.70 feet along the east line of said section to the Point of Beginning and containing 4.00 acres. Basis for bearings is true north as determined by solar observation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of the Rutherford survey dated May 26, 1982, shall be filed in the Plat Books in the Office of the Chancery Clerk of DeSoto County, Mississippi, and that a copy of this Final Decree shall be recorded in the Deed Records of DeSoto County, Mississippi.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Commissioners are allowed the sum of \$100.00 each as a commission for their services in this cause, with each of the parties to pay their own attorney's fee. The Court costs in this cause are taxed as a common charge against the parties according to their interest in the land, and the Court finds that the survey cost of \$480.00 has already been paid.

ORDERED, ADJUDGED AND DECREED by consent of the parties this 15th day of July, 1982.

L. E. Hannaford, Jr.
CHANCELLOR

Joel P. Walker
FOR COMPLAINANTS

William L. Rowe
FOR DEFENDANTS

STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 11 o'clock 30 minutes A.M. 19 day of July 1982, and that the same has been recorded in Book 154 Page 443 records of WARRANTY DEEDS of said County. Witness my hand and seal this the 32 day of July 1982.
Fee 550 pd. F. M. [Signature] Clerk